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SECTIONS OF THE PENNSYLVANIA ELECTION CODE,  
APPROVED JUNE 3, 1937, P.L. 1333  
AS AMENDED BY  
ACT NO. 1, APPROVED MARCH 6, 1951

(Underscoring indicates new matter added to existing law.  
[Brackets] indicate matter stricken from existing law.)

Section 102. Definitions.--The following words, when used in this act, shall have the following meanings, unless otherwise clearly apparent from the context:

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(w) The term "qualified elector in actual military service" shall mean a qualified elector of this Commonwealth, who is or may be in the military or naval service of the United States or any branch or unit thereof, [or in the Merchant Marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, the American Field Service or the United Service Organizations attached to and serving with the armed forces of the United States.] and regardless of whether such person is registered or enrolled in accordance with law.

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(x) The term "qualified bedridden or hospitalized veteran" shall mean any qualified elector of this Commonwealth who may be unavoidably absent from the State or county of his residence because of his being bedridden or hospitalized due to illness or physical disability contracted or suffered in connection with, or as a direct result of, his military service.

Section 305. Expenses of County Boards and of Primaries and Elections to be Paid by County; Expenses of Special Elections; Boards to be Provided with Offices.--

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(c) The Commonwealth shall reimburse each city of the first class and county for [the actual] election expenses incurred in and incidental to preparing, handling, mailing, delivering, counting and storing official military ballots and veterans' official ballots as herein provided in [a] the sum [not to exceed] of forty cents (40c) for each such ballot mailed or delivered.

Each county board of elections shall file in the Department of State, not later than thirty days after every election, on a form prescribed by the Department of State, a statement of the number of ballots mailed or delivered in such manner as is now or may hereafter be provided by law to electors in actual military







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service and to bedridden or hospitalized veterans.

The Department of State shall ascertain and fix the amount due, as herein provided, to each city of the first class and county for [actual] election expenses incurred, and by requisition in the usual course shall provide for payment of such amounts so found due from moneys appropriated to the Department of State for such purpose, or shall prorate the moneys so appropriated among the several cities of the first class and counties to be reimbursed, if the amount so appropriated shall not be sufficient for the payment in full to each city of the first class and county of the amount found to be due.

Section 604. [Fall] Summer Primary; Officers to be Nominated.--There shall be a [Fall] Summer primary preceding each municipal election which shall be held on the [second] fourth Tuesday of [September] July in all odd-numbered years. Candidates for all offices to be filled at the ensuing municipal election shall be nominated at the [Fall] Summer primary.

Section 904. Municipal Clerks and Party Chairman to Furnish Information as to Offices to be Filled.--To assist the respective county boards in ascertaining the offices to be filled, it shall be the duty of the clerks or secretaries of the various cities, boroughs, towns, townships, school districts and poor districts, with the advice of their respective solicitors, on or before the [tenth] twelfth Tuesday preceding the [Fall] Summer primary, to send to the county boards of their respective counties a written notice setting forth all city, borough, town, township, school district and poor district offices to be filled in their respective subdivisions at the ensuing municipal election, and for which candidates are to be nominated at the ensuing primary. It shall also be the duty of the chairman of the State committee of each political party to forward to the Secretary of the Commonwealth and to the respective county boards, on or before the [tenth] twelfth Tuesday preceding the Spring primary, a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary, and the number of such delegates and alternate delegates who are to be elected at said primary in such county, or in any district within such county, or of which it forms a part. The said notice shall also set forth the number of members of the National committee, if any, who, under the National party rules, are to be elected at the said primary in the State at large, and the number of members of the State committee to be elected at the said



The Department of the Interior (hereinafter referred to as the Department) is the executive branch of the Federal Government, and is responsible for the management and conservation of the public lands and resources. The Department is organized into several bureaus, each of which is responsible for a specific function. The Bureau of Land Management is responsible for the management of the public lands, and the Bureau of Reclamation is responsible for the management of the water resources. The Department also has a number of other bureaus, including the Bureau of Indian Affairs, the Bureau of Geographical Names, and the Bureau of the Census.

The Department is headed by the Secretary of the Interior, who is appointed by the President. The Secretary is responsible for the overall management of the Department, and for the implementation of the policies of the President. The Secretary is also responsible for the management of the public lands and resources, and for the conservation of the natural resources. The Secretary is assisted by several Deputy Secretaries, who are responsible for specific functions within the Department.

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primary in such county, or in any district, or part of a district within such county. It shall also be the duty of the chairman of the county committee and, in cases where a city is coextensive with a county, the chairman of the city committee of each party, on or before the ~~[tenth]~~ twelfth Tuesday preceding the Spring primary, to send to the county board of such county a written notice setting forth all party offices to be filled in the county at the ensuing primary.

Section 905. Secretary of the Commonwealth to Notify County Board of Certain Nominations to Be Made.--On or before the ~~[tenth]~~ twelfth Tuesday preceding each primary, the Secretary of the Commonwealth shall send to the county board of each county a written notice designating all the offices for which candidates are to be nominated therein, or in any district of which such county forms a part, or in the State at large, at the ensuing primary, and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth, including that of President of the United States; and shall also in said notice set forth the number of presidential electors, United States Senators, Representatives in Congress and State officers, including senators, representatives and judges of courts of record, to be elected at the succeeding November election by a vote of the electors of the State at large, or by a vote of the electors of the county, or of any district therein, or of any district of which such county forms a part.

Section 906. Publication of Notice of Officers to Be Nominated and Elected.--Beginning not earlier than ~~[nine]~~ eleven weeks, nor later than ~~[eight]~~ ten weeks before any regular Spring or ~~[Fall]~~ Summer primary, the county board of each county shall publish in newspapers, as provided by section 106 of this act, a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary, and the number of delegates and alternate delegates who are to be elected at the said primary in said county, or in any district of which said county or part thereof forms a part, and also setting forth the names of all public offices for which nominations are to be made, and the names of all party offices, including that of members of the National committee, if any, and State committee, for which candidates are to be elected at said primary in said county, or in any district of which such county or part thereof forms a part, or in the State at large. Said notice shall contain the date of the primary, and shall be published once each week







for two successive weeks in counties of the first and second class and once in all other counties.

Section 908. Manner of Signing Nomination Petitions; Time of Circulating.--

Each signer of a nomination petition shall sign but one such petition for each office to be filled, and shall declare therein that he is a registered and enrolled member of the party designated in such petition: Provided, however, That where there are to be elected two or more persons to the same office, each signer may sign petitions for as many candidates for such office as, and no more than, he could vote for at the succeeding election. He shall also declare therein that he is a qualified elector of the county therein named, and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large, of the political district therein named, in which the nomination is to be made or the election is to be held. He shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing, expressed in words or numbers: Provided, however, That if the said political district named in the petition lies wholly within any city, borough or township, or is coextensive with same, it shall not be necessary for any signer of a nomination petition to state therein the city, borough or township of his residence. No nomination petition shall be circulated prior to ~~thirty (30)~~ twenty (20) days before the last day on which such petition may be filed, and no signature shall be counted unless it bears date within ~~thirty (30)~~ twenty (20) days of the last day of filing the same.

Section 913. Place and Time of Filing Nomination Petitions; Filing Fees.--

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(d) All nomination petitions shall be filed at least ~~fifty (50)~~ sixty-four (64) days prior to the primary.

Section 953. Place and Time of Filing Nomination Papers.--

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(b) No nomination paper shall be circulated prior to ~~thirty~~ twenty (20) days before the last day on which such paper may be filed, and no signature shall be counted unless it bears a date within ~~thirty (30)~~ twenty (20) days of the last day of filing the same.

(c) All nomination papers must be filed at least ~~twenty (20)~~ forty-four (44) days prior to the date of the primary election.







Section 978. Withdrawal of Nominated Candidates.--Any person who has been nominated by any political party or political body, in accordance with the provisions of this act, as a candidate for the office of presidentail elector, United States Senator, Representative in Congress or for any State office, including that of senator, representative and judge of court of record, may withdraw his name from nomination by request in writing, signed by him and acknowledged before an officer qualified to take acknowledgment of deeds, and filed in the office of the Secretary of the Commonwealth. Any person who has been similarly nominated as a candidate for any other office may withdraw his name from nomination by similar request, filed with the county board of elections of the proper county. Such written withdrawals shall be filed with the Secretary of the Commonwealth or the county board of elections, as the case may be, at least sixty-five (65) days previous to the day of the general or municipal election [and at least twenty-five days previous to the day of the municipal election]. Such withdrawals to be effective must be received in the office of the Secretary of the Commonwealth not later than five (5) o'clock P. M. on the last day for filing same, and in the office of any county board of elections not later than the ordinary closing hour of said office on the last day for filing same. No name so withdrawn shall be printed upon the ballot or ballot labels. No candidate may withdraw any withdrawal notice already received and filed, and thereby reinstate his nomination.

Section 978.1. Vacancy in Party Nomination by Failure to Pay Filing Fee.--Every person nominated at any primary election as the candidate of any political party for any office, other than a borough, town, township, school district or poor district office, or the office of alderman, justice of the peace, or constable who has not paid the filing fee required by section nine hundred thirteen of this act, as amended, for the filing of a nomination petition for such office, shall pay the amount of such fee to the Secretary of the Commonwealth, or to the county board of elections, as the case may be, at least sixty-five (65) days previous to the day of the general or municipal election [or at least twenty-five days previous to the day of the municipal election] at which such candidate's name would appear on the ballot. Failure to pay such fee within the time herein prescribed shall result in a vacancy in such party nomination. Such vacancy shall be filled in the manner hereinafter provided for the filling of such vacancies happening by reason of the death or withdrawal of any candidate.







Section 981. Time for Filing Substituted Nomination Certificates.--(a) Substituted nomination certificates to fill vacancies caused by the withdrawal of candidates nominated at primaries or by nomination papers shall be filed with the Secretary of the Commonwealth or proper county board of elections, as the case may be, at least [fifty] fifty-five (55) days before the day of the general or municipal election [and at least twenty days before the day of the municipal election]: Provided, however, That no substituted nomination certificate by a political body may be filed until after the primary election.

#### ARTICLE XIII

##### Voting By Persons In Actual Military Service

Section 1301. Qualified Electors in Actual Military Service.--Any qualified elector in actual military service may vote under the provisions of this act in any election held in this Commonwealth, regardless of whether at the time of voting he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled.

Section 1302. Applications for Official Military Ballots.--(a) Any qualified elector in actual military service may apply at any time before any election for an official military ballot on Form USWBC Form No. 1 or any other form supplied by the Federal Government, or by post card, letter or other writing, addressed to the Secretary of the Commonwealth of Pennsylvania or the county board of election of the county in which his voting residence is located.

(b) The application shall contain the following information: Residence at the time of entrance into actual military service, length of time a citizen, length of residence in Pennsylvania, date of birth, length of time a resident of voting district, voting district, party choice in case of primary, name, rank or grade, military address, branch of service and serial number. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of election.

(c) The application for a military ballot in any election may be made or information supplied over the signature of any person who is familiar with the voting qualifications of the military elector, as required in the preceding subsection.

(d) The various county boards of election, upon receipt of any application, shall ascertain from the information on such application, district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled.







Section 1303. Official Military Ballots.--(a) Ballots for use by such military electors under the provisions of this act shall be prepared sufficiently in advance by the county boards of election and shall be distributed by such boards as hereinafter provided. Such ballots shall be marked "Official Military Ballot" but shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act, which form shall be determined and prescribed by the Secretary of the Commonwealth.

(b) In cases where there is not time, in the opinion of the county boards of election, to print on said ballots the names of the various candidates for district, county and local offices, the ballots shall contain blank spaces only under the titles of such offices in which electors may insert the names of the candidates for whom they desire to vote, and in such cases the county boards of election shall furnish to electors lists containing the names of all the candidates who have been regularly nominated under the provisions of this act, for the use of such electors in preparing their ballots.

Section 1304. Envelopes for Official Military Ballots.--The county boards of election shall provide two additional envelopes for each official military ballot of such size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words "Official Military Ballot," and nothing else. On the larger of the two envelopes, to be enclosed within the mailing envelope, shall be printed the affidavit of the elector, together with the jurat of the person in whose presence the ballot is marked and before whom the affidavit is made, and the name and address of the county board of election of the proper county. Said affidavit, jurat and envelope shall be in the form prescribed by the Secretary of the Commonwealth and shall contain among other things a statement of elector's qualifications. The mailing envelope addressed to the elector shall contain the two envelopes, the official military ballot, lists of candidates when authorized by Section 1303 of this act, the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else.

Section 1305. Duties of County Boards.--(a) The county boards of election shall at least twenty-five days prior to the election deliver or mail official military ballots to all electors whose names and addresses have been ascertained; as







additional names and addresses of electors are ascertained, the board shall deliver or mail official military ballots to such additional electors within forty-eight hours after ascertaining their names and addresses.

(b) Each county board of election shall post in a conspicuous public place at its office a master list, arranged alphabetically by election districts, setting forth the name, residence and local voting district or ward of every elector to whom an official military ballot has been sent. This posted list shall not contain the elector's military address or military organization. This list shall be known as the "Military File" and shall be posted at least five days before the election day involved, and shall also set forth the total number of such ballots prepared for use in such election. Copies of such military files shall be furnished upon request to the county chairman of each political party and political body, and shall also be furnished to registration commissions.

Section 1306. Voting by Electors in Actual Military Service.--At any time after receiving an official military ballot, but on or before the day of the election, the elector, for the purpose of voting, may appear before any person of this or any other state or territory of the United States authorized to administer oaths by Federal, State or military laws. The elector shall first display the ballot to such person as evidence that the same is unmarked, and then shall proceed to mark the ballot with pencil, crayon, indelible pencil or ink, in the presence of such person, but in such manner that the person administering the oath is unable to see how the same is marked, and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Official Military Ballot". This envelope shall then be placed in the second one, on which is printed the affidavit of the elector, the jurat of the person before whom the elector appears, and the address of the elector's county board of election. The elector shall then fill out, subscribe and swear to the affidavit printed on such envelope, and the jurat shall be subscribed and dated by the person before whom the affidavit was taken. Such envelope shall then be securely sealed and the elector shall send same by mail to said county board of election.

Section 1307. Military Electors Voting in Districts of Residence.--(a) Whenever any qualified elector in actual military service is present in his voting district of residence on any primary, municipal or general election day and has not already voted in such election, he may apply to his district election board for an official ballot and vote it in such election.







(b) Each such application shall be in the form and shall contain the information required by this act together with a statement by the applicant that he has not already voted in the election. All such applications shall be transmitted to the county board of election immediately upon the closing of the polls.

(c) Upon receiving an official ballot and envelopes therefor, he shall, in secret, in the polling place vote the ballot and prepare it for execution of the affidavit and jurat as prescribed by this act. The affidavit shall be executed before the judge or either inspector of election, and the jurat subscribed by the person before whom the affidavit is taken. The military elector shall then securely seal the second envelope and hand it to the judge of election. The judge of election shall place all such envelopes in a container marked "Official Military Ballots" which shall be sealed immediately upon the closing of the polls and transmitted to the county board of election.

(d) Each district election board shall prepare a separate list of the names of all such voters, which shall be attached to the lists of voters required by the act to which this is an amendment.

(e) Each county board of election shall prepare and deliver to each district election board on such election days an adequate supply of official ballots, envelopes and other supplies as required by this act.

(f) Each county board of election, before the day fixed by this act for the canvassing of official ballots, shall post, attached to the "Military File", an alphabetically arranged list setting forth the name, residence, the local voting district and ward of every military elector voting under the provisions of this section. The list shall not contain the elector's military address or military organization. Copies of such list may be furnished as in the case of copies of the military file.

Section 1308. Canvassing of Official Military Ballots.--(a) The county boards of election, upon receipt of official military ballots in such envelopes, shall safely keep the same until they meet to canvass official military ballots, which canvass shall begin immediately following the official civilian canvass for all primary elections. After the November election, the canvass of official military ballots shall begin at ten o'clock A. M., Eastern Standard Time, on the second Friday following the election. No such ballots shall be counted which are received in their offices later than ten o'clock A. M., Eastern Standard Time, of the second Friday following the primary election or the November election. At such time the







members of the return boards or the county boards of election shall in person dispose of official military ballots in the manner hereinafter set forth. The county boards of election may designate a sufficient number of clerks to perform such duties. When it is determined that clerks shall be appointed, the total number shall in every case be in multiples of three, and each member of a county board of election shall appoint an equal number thereof.

(b) Each candidate for nomination or election shall be entitled to appoint one watcher and each political party or body which has nominated candidates shall be entitled to appoint three watchers. Watchers shall be permitted to be present when the envelopes containing official military ballots are opened and when such ballots are counted and recorded.

(c) In disposing of an official military ballot the county return board or the county board of election shall examine the affidavit and jurat and if the jurat bears a date later than the date of the election, the envelope shall be set aside unopened.

(d) The board shall then further examine the affidavit and jurat of each envelope not so set aside and shall compare the information thereon with that contained in the military file. If the board is satisfied that the affidavit and jurat are sufficient and that the elector has qualified, and the board has utilized the information contained in the military file to verify his right to vote, the board shall announce the name of the elector and shall give any person present an opportunity to challenge in like manner and for the same cause, except failure to register or enroll, as the elector could have been challenged had he presented himself in his own district to vote other than by official military ballot. If no challenges are sustained, the board shall open the envelope in such manner as not to destroy the affidavit and jurat printed thereon. All envelopes on which are printed, stamped or endorsed the words "Official Military Ballot" shall be placed in one or more depositories at one time and said depository or depositories well shaken and the envelopes mixed before any envelope is taken therefrom. The board shall then break the seals of such envelopes, remove the ballots and record the votes in the same manner as district election officers are required to record votes. Upon completion of the computation of the returns of the county, the votes cast upon the official military ballots shall be added to the other votes cast within the county.

Section 1309. Public Records.--All official military ballots, military files, applications for such ballots and envelopes on which the jurats and affidavits







appear, and all information and lists are hereby designated and declared to be public records and shall be safely kept for a period of two years, except that no information shall be made public which is expressly forbidden by the War Department because of military security.

#### ARTICLE XIII-A

##### Voting By Bedridden Or Hospitalized Veterans

###### Section 1301-A. Qualified Electors who are Bedridden or Hospitalized Veterans.--

Any qualified elector who is bedridden or hospitalized due to illness or physical disability contracted or suffered in connection with, or as a direct result of, his military service, may vote under the provisions of this act in any election held in this Commonwealth, if he is unavoidably absent from the State or county of his residence, regardless of whether he is registered or enrolled.

Section 1302-A. Applications for Veterans' Official Ballots.--(a) Any qualified bedridden or hospitalized veteran may apply, at any time before any election, for a veterans' official ballot by post card, letter or other writing, addressed to the Secretary of the Commonwealth of Pennsylvania or the county board of elections of the county in which his voting residence is located.

(b) The application shall contain the following information: Residence at the time of becoming bedridden or hospitalized, length of time a citizen, length of residence in Pennsylvania, date of birth, length of time a resident in voting district, party choice in case of primary, name and address of present residence or hospital at which hospitalized. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of election.

(c) The application for a veterans' official ballot in any election may be made or information supplied over the signature of any person who is familiar with the voting qualifications of the bedridden or hospitalized veteran, as required in the preceding subsection.

(d) The various county boards of election, upon receipt of any application, shall ascertain from the information on such application, district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled.

Section 1303-A. Veterans' Official Ballots.--(a) Ballots for use by such veteran electors under the provisions of this act shall be prepared sufficiently in advance by the county boards of election and shall be distributed by such boards







as hereinafter provided. Such ballots shall be marked "Veterans' Official Ballot" but shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act, which form shall be determined and prescribed by the Secretary of the Commonwealth.

(b) In cases where there is not time, in the opinion of the county boards of election, to print on said ballots the names of the various candidates for district, county and local offices, the ballots shall contain blank spaces only under the titles of such offices in which electors may insert the names of the candidates for whom they desire to vote, and in such cases the county boards of election shall furnish to electors lists containing the names of all the candidates who have been regularly nominated under the provisions of this act, for the use of such electors in preparing their ballots.

Section 1304-A. Envelopes for Veterans' Official Ballots.--The county boards of election shall provide two additional envelopes for each veterans' official ballot, of such size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words "Veterans' Official Ballot," and nothing else. On the larger of the two envelopes, to be enclosed within the mailing envelope, shall be printed the affidavit of the elector, together with the jurat of the person in whose presence the ballot is marked and before whom the affidavit is made, and the name and address of the county board of election of the proper county. Said affidavit, jurat and envelope shall be in the form prescribed by the Secretary of the Commonwealth and shall contain among other things a statement of the elector's qualifications. The mailing envelope addressed to the elector shall contain the two envelopes, the veterans' official ballot, lists of candidates when authorized by Section 1303-A of this act, the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else.

Section 1305-A. Duties of County Boards.--(a) The county boards of election shall at least twenty-five days prior to the election deliver or mail veterans' official ballots to all electors whose names and addresses have been ascertained; as additional names and addresses of electors are ascertained, the board shall deliver or mail veterans' official ballots to such additional electors within







forty-eight hours after ascertaining their names and addresses.

(b) Each county board of election shall post in a conspicuous public place at its office a master list, arranged alphabetically by election districts, setting forth the name, residence and local voting district or ward of every elector to whom a veterans' official ballot has been sent. This list shall be known as the "Veterans' File" and shall be posted at least five days before the election day involved, and shall also set forth the total number of such ballots prepared for use in such election. Copies of such veterans' files shall be furnished upon request to the county chairman of each political party and political body, and shall also be furnished to registration commissions.

Section 1306-A. Voting by Bedridden or Hospitalized Veterans.--(a) At any time after receiving a veterans' official ballot, but on or before the day of the election, the elector, for the purpose of voting, may appear before any person of this or any other state or territory of the United States authorized to administer oaths by Federal, State or military laws. The elector shall first display the ballot to such person as evidence that the same is unmarked, and then shall proceed to mark the ballot with pencil, crayon, indelible pencil or ink, in the presence of such person, but in such manner that the person administering the oath is unable to see how the same is marked, and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Veterans' Official Ballot". This envelope shall then be placed in the second one, on which is printed the affidavit of the elector, the jurat of the person before whom the elector appears, and the address of the elector's county board of election. The elector shall then fill out, subscribe and swear to the affidavit printed on such envelope, and the jurat shall be subscribed and dated by the person before whom the affidavit was taken. Such envelope shall then be securely sealed and the elector shall send same by mail to said county board of election.

Section 1308-A. Canvassing of Veterans' Official Ballots.--The county boards of election shall canvass the vote from the veterans' official ballots in substantially the same manner as set forth in Section 1308 of this act for the canvassing of official military ballots.

Section 1309-A. Public Records.--All veterans' official ballots, veterans' files, applications for such ballots and envelopes on which the jurats and affidavits appear, and all information and lists are hereby designated and declared to be public records and shall be safely kept for a period of two years.





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